

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT of Vermont

U.S. DISTRICT COURT,  
DISTRICT OF VERMONT  
FILED

2012 MAR -9 AM 9:42

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CIVIL  
RIGHTS <sup>BY</sup> aw  
COMPLAINT  
PURSUANT TO  
42 U.S.C. 1983

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Jamie Woodman Plaintiff(s),  
(12-08-79)

vs.

Vermont  
State Police  
(St. Johnsbury)

Defendant(s),

Civil Case No. 1:12 -cv- 43

Plaintiff(s) in the above-captioned action, allege(s) as follows:

1. JURISDICTION

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. §1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331(3) and (4) and 2201.

2. PARTIES

Plaintiff: Jamie Woodman (12-08-79)

Address: 700 Charlestown road  
Springfield, Vermont 05156

Additional Plaintiffs may be added on a separate sheet of paper.

3.

Defendant: Vermont State Police K-9 Unit

Official Postition: Patrolman in charge of service animal.

Address: St. Johnsbury, Vt 05819

Defendant: \_\_\_\_\_

Official Postition: \_\_\_\_\_

Address. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Defendant. \_\_\_\_\_

Official Postition: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional Defendants may be added on a separate sheet of paper.

**4.**

**PLACE OF PRESENT CONFINEMENT**

a. Is there a prisoner grievance procedure at this facility?

☒ YES      ( ) NO

b. If your answer to 4(a) is YES, did you present the facts relating to your complaint in this grievance program?

( ) YES      ☒ NO

If your answer to 4(b) is YES:

(i) What steps did you take?

\_\_\_\_\_

\_\_\_\_\_

(ii) What was the final result of your grievance?

\_\_\_\_\_

\_\_\_\_\_

If your answer to 4(b) is NO:

Why did you choose to not present the facts relating to your complaint in this grievance program?

This incident happened upon my  
arrest and not my subsequent incarceration

If there is no grievance procedure in your institution, did you complain to prison authorities about the facts alleged in your complaint?

(☒) YES ( ) NO

If your answer to 4(c) is YES:

(i) What steps did you take?

I informed staff upon my arrival.

(ii) What was the final result regarding your complaint?

Because it happened in the community  
it was outside of the jail's jurisdiction

If your answer to 4(c) is NO:

Why did you choose to not complain about the facts relating to your complaint in such prison?

\_\_\_\_\_  
\_\_\_\_\_

5.

### PREVIOUS LAWSUITS

Have you ever filed any other lawsuits in any state and federal court relating to your imprisonment?

( ) YES (☒) NO

If your answer to 5(a) is YES you must describe any and all lawsuits, currently pending or closed, in the space provided on the next page.

For EACH such lawsuit, provide the following information:

i. Parties to previous lawsuits:

Plaintiffs:

Defendants:

ii. Court (if federal court, name District; if state court, name County:

iii. Docket Number:

iv. Name of Judge to whom case was assigned:

v. Disposition (dismissed? on appeal? still pending

vi. Approximate date of filing prior lawsuit:

vii. Approximate date of disposition:

6.

### FACTS

Set forth the facts of your case which substantiates your claim of violation of your civil rights and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

**Note: You must include allegations of wrongful conduct on EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary.)**

On or about July 28, 2010 I fled from police in the town of St. Johnsbury. I hid in ~~one~~ outdoor area near a small town pump house. 2 Vermont State Police officers (whom I did not know) and a K-9 (yellowish in color) searched a wooded area as well as around this building. At this time I decided if spotted I would surrender to these (continued on Seperate sheets)

1/Cont)

two officers. During my initial escape I jumped into the river in St. Johnsbury and a discarded bicycle lacerated my calf muscle in the front of my leg. I decided that I would take my chances of infection and clean and sew this injury should I escape. I noticed numerous St. Johnsbury Town Police searching frantically for me in the water. I made my move up the embankment on the opposite side of the river. When I reached the top of the embankment I noticed civilians also searching for me, this I found unusual but avoided them all the same. When I found my hiding spot next to the small structure a State Police Cruiser (Vermont) pulled in as well so I froze and listened carefully and heard the dog. This is when I decided that it was time to give up, it was 58°F outside and I was wet and bleeding for about 2 hours. When the two officers walked around the building I crouched down in an area that was wide open and in the back corner of this structure. One officer approached me, and the other with the dog moved out in a larger arc sweeping for me. At this time the dog was barking and jumping around energetically. The first officer noticed me and told me to "freeze". I told him that I was "done" and that "they got me". I also thanked them because they were indirectly rescuing me. This may have come off sarcastically but wasn't meant to be anything but genuine. He ordered me to my stomach in a prone position, hands behind my back. I complied without incident. This officer cuffed me. The second officer with dog

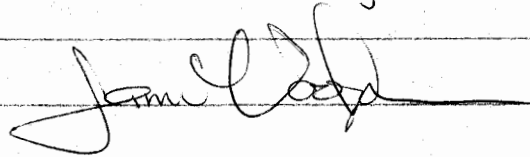


2 (cont)

noticed me and came within 5-6 feet of my person with the dog going absolutely crazy. I explained to the first officer that I was injured and would need medical aid soon. At this time this officer began tugging on my left foot sneaker and removed it, I am still laying on the ground prone, ~~a~~ handcuffed and with my feet up in the air as to not add more dirt and debris to my open wound on my leg, I asked him what he was doing and he replied "getting the dog off your scent". I became agitated because I was uncomfortable as well as vulnerable and was being toyed with by officers. I called this officer a "maggot" and told him to replace my shoe. He knelt down beside me and said "You'll never run from me again" and tugged my sneaker from the dog and placed it on my foot. This dog began chewing the shoe on my foot. My foot was protected at first by the rubber bottom and the tongue. But when I tried to move my foot the dogs tooth pierced the tongue of my shoe as well as my foot. I jerked away my foot because of the pain and felt my flesh tear and a tendon pop in my foot. They pulled away the dog and I asked them why they would let the dog bite me and both laughed and said almost in unison that "We didn't let the dog bite you". At this time I was brought to the hospital in St. Johnsbury to have my wounds evaluated. The nurse saw my first laceration and said we would need to clean it and stitch it. Once this was done the nurse was about to leave when I said "Can you check my left foot"

3(Cont)

I said "because he let their dog bite me" both officers denied this and tried to convince this nurse that I was lying. I asked that it be cleaned and stitched and reminded the nurse that I've had tetanus shots within the last five years. This was my first encounter with these officers to my knowledge and do not know either of their names though they were mentioned in the paper the following day I believe. I was subsequently charged with resisting arrest for the initial evading of an Officer.



7.

### CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

#### FIRST CAUSE OF ACTION

Officer #1 (NON K9) placed me under arrest and handcuffed me, without any incident or struggle. This officer removed my left sneaker and offered it to the dog.

#### SECOND CAUSE OF ACTION

I told this officer to place my shoe back on my foot. This officer complied though never fully separating the shoe and this dog's mouth. This officer stated "You'll never run from me again"

#### THIRD CAUSE OF ACTION

Once the shoe was replaced This officer and Officer #2 (K-9) allowed the dog to "Chew" on my sneaker. When the dog's tooth penetrated my foot, I tugged away because of the pain and the dog's tooth lacerated my foot and caused damage to my tendons and toe.



8. Plaintiff(s) demand(s) a trial by

Jury

OR

Court

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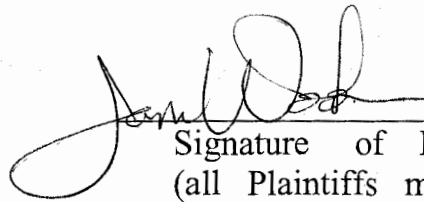
9. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

I am Seeking monetary damages in the amount of  
\$10,000<sup>00</sup> for the damage and scar to my left foot.  
I also wish to attach a camera to the K-9 dog. to stop  
police brutality by means of this service animal.

I declare under penalty of perjury that the foregoing is true and correct.

DATED Feb. 7, 2012

 (12-8-79)  
Signature of Plaintiff(s)  
(all Plaintiffs must sign)